

**MINUTES OF THE REGULAR MEETING  
TOWN OF NEW HARTFORD PLANNING BOARD**

**MONDAY, MAY 27, 2008**

The Regular Meeting was called to order by Chairman Hans Arnold at 5:30 P.M. at which time the Pledge of Allegiance was recited. Board Members present were Jerome Donovan, Ellen Rayhill, Rodger Reynolds and Bob Imobersteg. Board Members absent: Peggy Rotton and Bob Wood. Also in attendance were Town Planner Kurt L. Schwenzfeier, AICP; and Dory Shaw, Secretary.

Minutes of the May 12, 2008 meeting were reviewed by the Board Members. Motion was made by Board Member Bob Imobersteg to approve these minutes as written; seconded by Board Member Jerome Donovan. All in favor.

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**Public Comment**

A resident referred to the intersection at Washington Mills by Oneida Street and Kellogg Road. She referred to the timing of the light and how it affects the school bus runs. The Town Planner stated this issue is still being addressed with traffic consultants as the recommendation is to take out the round about, and that the County is waiting for the findings for traffic. It is being coordinated with the Highway Superintendent. (The traffic signal is the Town's). Board Member Donovan referred to the pedestrian signal at Oxford & Kellogg Roads intersection and also Hannaford/Walgreen's – should we address it in this the plan or make our interest known to the Town Board and County. Town Planner Schwenzfeier said it will be in the GEIS statement in the pedestrian circulation section.

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Chairman Arnold asked for an update on the Sign Committee. Board Member Donovan stated a Public Hearing will be held at the Town Board level on May 28<sup>th</sup>. The Sign Committee will be looking into our recommendation on the banners, flags, etc. Also, this is a Zoning Advisory Committee and we will be addressing other issues, such as fences, etc. – not only signs.

Chairman Arnold advised the Board Members that he has been participating in meetings for a study to try to solve traffic problems at Consumer Square. Benderson is no longer the owner of this development but we still have Planned Development agreement with them – the development is owned by Developers Diversified Realty . Clark Patterson Associates made a presentation to Town Staff and Benderson was there as well as DDR.

He advised the Board that Wal-Mart still has an open subdivision based on the advice of our Town Attorney. Clark Patterson came up with a preliminary plan which would ...

- change the first interior intersection mainly by modifying the street through traffic to Wal-Mart and left turn into Best Buy
- change pattern of the light for free movement of traffic
- at Best Buy eliminate that immediate curb area and create a boulevard

DDR's objection is the loss of parking. Clark Patterson will try to mitigate that so as not to lose so many parking spaces. Another meeting will take place within a month or so.

Chairman Arnold has been sitting in with storm water management committee people in the Town. He represents the Planning Board. What this committee has done with the Highway Superintendent is to identify the storm water flooding problems in the Town, especially at Woodberry at the foot of the hill. The consulting engineers have detailed evaluations. Chairman Arnold has asked them to evaluate the storm water impacts from the development of vacant land south and west of Woodberry and model that as it is given under current Zoning Law. If we consider large lot development only, we will be helping the storm water management system – documentation will be provided on this.

The Town Planner stated that we are under the new storm water permit. If anyone would like a copy, he will provide it. He explained the previous storm water permit with NYSDEC. We will be under the new revised permit for the next three (3) years which expands the role of the Town of enforceability in regard to the storm water and planning. He will be reporting to the Town Board that summarizes the last five (5) years to meet the six (6) minimum requirements of our permit.

Chairman Arnold referred to a meeting he had with the Town Planner and Judy Cusworth, which resulted from the Public Hearing held at Chadwicks. Mrs. Cusworth owns a large tract of land on Oneida Street and it becoming a forest designation. She wants her land zoned where it can't be developed. The Town Planner said her house is a separate parcel – they are concerned about wild life remediation. Her property doesn't have enough acreage under a forestry use with our zoning but could be under State regulations. It was left that we could look into this further. It was mentioned by one of the Board Members that Mrs. Cusworth could place something in her deed that would keep her property forever wild as an alternative.

Chairman Arnold referred to the GEIS and mentioned

- 1) Mohawk Valley Water Authority plans for future water expansion
- 2) Review Comprehensive plans with adjacent communities

3) NYRRI issue – what if it passes.

The Town Planner stated that peter j. smith consultants is going to give us a point by point response to all comments between the last and this meeting. He mentioned distinct time periods for when we want to have a response to those comments, how long to review them and when to schedule the next Public Hearing.

It was the consensus of the Board Members that any changes have been made to this report. Discussion ensued on when to have the consultants present and the availability of their reports to us. Town Planner Schwenzfeier stated that he has given them a deadline for the next Planning Board meeting, which is June 9, 2008 and will try to get their comments to us prior to that meeting.

Chairman Arnold addressed the Board regarding his review as he feels they haven't established a planning time frame. Also, he referred to Alternative 3 addressing the amount of new development proposed and actual realistic numbers in Washington Mills/Chadwicks area. Also addressed was the water system, where it goes, steepness and pattern of development.

The Town Planner referred to the time frame of 5/10 years vs. extensive build out – 1% of residential development and 10% of commercial development potential within the next twenty (20) years. Also, population growth with commercial development.

The Board Members reviewed the chart and numbers submitted in the plan by the consultants and that this was determined under current zoning. Discussion ensued regarding a suggestion to reduce commercial development. Board Member Imobersteg referred to the 1,000,000 square footage statement because that becomes the basis for the zoning. Chairman Arnold said he felt more comfortable for commercial development in New Hartford beyond Route 5/5A corridor and that is where it is going to be. Chairman Arnold feels we need to tell peter j. smith about this as 1,000,000 square footage sounds too much, especially with population growth patterns.

Board Member Donovan realized that if they have taken existing zoning to develop these kinds of numbers and we aren't comfortable with the maximum build out under Alternative 3, we have to fashion the density the way we are more comfortable and bring numbers down – this will be the foundation to any rezoning. He also referred to the population decrease in our area, but more retail space.

Board Member Rayhill referenced the location of setbacks for Washington Mills and Chadwicks – where they meet and end. They are hamlets only. She is also concerned about residential development that usually brings along commercial development.

Also, about access to lots as she has seen frontage being sold on Sessions and Mallory – the Town Planner addressed this and also stated that storm water gets increased with the amount of commercial because of parking.

The Board Members discussed the calculations and methodology regarding commercial development in Washington Mills and Chadwicks and the needs to express our concerns to the consultants.

The replacement of mobile home lots in Chadwicks with a storm water retention basin. The plan mentions relocation, but where?

Board Member Rayhill addressed fees in lieu of mitigation and to what extent is it a plan. Chairman Arnold feels there has to be a balance, this plan should say this is the Board's vision and then hear what about fees in lieu of mitigation.

Chairman Arnold stated to the Town Planner that they will have to re-write this plan and wants this message conveyed to them, especially whether or not we can support the level of residents for commercial development in Alternative 3 and is it realistic. He also feels they should be at the next Planning Board meeting to address our thoughts, especially if we are going to readjust square footages and changes. The Town Planner will contact the consultants to have them appear.

Board Member Donovan would like to review something before the meeting. The Town Planner will send a draft to all Board Members before the meeting.

Board Member Rayhill mentioned looking at the Town of Paris and Frankfort Comprehensive plans. The Town Planner explained how he has been handling this issue. Discussion ensued regarding the water system and how tanks are proposed for water availability, site location and need.

There being no further business, the meeting adjourned at 6:55 P.M.

Respectfully submitted,

Dolores Shaw, Secretary  
Planning Board

dbbs

